

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.<sup>1</sup>

PROMESA  
Title III

No. 17 BK 3283-LTS  
(Jointly Administered)

**Re: ECF Nos. 11686, 11687**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS &  
TRANSPORTATION AUTHORITY,

Debtor.

PROMESA  
Title III

No. 17 BK 3567-LTS

**Re: ECF No. 704**

**URGENT MOTION OF GOVERNMENT PARTIES TO FILE OMNIBUS OPPOSITION  
TO MOTIONS TO COMPEL PRODUCTION OF DOCUMENTS CONCERNING  
PRELIMINARY HEARINGS ON CCDA, PRIFA, AND HTA LIFT-STAY MOTIONS  
[ECF NOS. 11686, 11687] AND REQUEST FOR EXCESS PAGES**

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

To the Honorable United States Magistrate Court Judge Judith G. Dein:

The Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole representative of the Commonwealth of Puerto Rico (the “Commonwealth”) and the Puerto Rico Highways and Transportation Authority (“HTA”) in these Title III cases pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), and the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), as fiscal agents for the Commonwealth, HTA, the Puerto Rico Infrastructure Financing Authority (“PRIFA”), and the Puerto Rico Convention Center District Authority (“CCDA”) (collectively, the “Government Parties”) respectfully submit this *Urgent Motion of Government Parties to File Omnibus Opposition to Motions to Compel Production of Documents Concerning Preliminary Hearings on CCDA, PRIFA, and HTA Lift-Stay Motions [ECF Nos. 11686, 11687] and Request for Excess Pages* (the “Urgent Motion”).<sup>2</sup> In support of the Urgent Motion, the Government Parties respectfully state as follows:

1. On January 16, 2020, the Movants filed motions to lift the automatic stay with respect to bonds issued by CCDA, PRIFA, and HTA (“Lift Stay Motions”). [ECF Nos. 10102, 10104, 10109.]
2. On February 3, 2020, the Oversight Board filed oppositions to those motions (the “Oppositions”). [ECF Nos. 10611, 10615, 10618.]
3. On February 5, 2020, the Movants sent to the Government Parties informal discovery requests relating to the Lift Stay Motions (the “Informal Discovery Requests”).

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<sup>2</sup> Capitalized terms not defined have the meanings ascribed in the Oversight Board’s oppositions to the HTA Lift Stay Motion [ECF No. 10618], the CCDA Lift Stay Motion [ECF No. 10615], and the PRIFA Lift Stay Motion [ECF No. 10611].

4. On February 24, 2020, the Movants filed two motions to compel (“Motions to Compel”) in connection with the Informal Discovery Requests, each of which is fifteen pages in length. [ECF Nos. 11686, 11687.]

5. The deadline for the Government Parties to oppose the Motions to Compel is Friday, February 28, 2020.

6. In order to streamline the issues to assist with this Court’s review, rather than file two oppositions of up to fifteen pages each, the Government Parties respectfully request permission to exceed the fifteen-page page limit under this Court’s Standing Order<sup>3</sup> and file a single omnibus opposition to both Motions to Compel, not to exceed thirty pages in length.

7. Pursuant to Local Bankruptcy Rule 9013-1 and paragraph 1.H of the Tenth Amended Case Management Procedures, counsel for the Government Parties hereby certify that they have carefully examined the matter and concluded that there is a true need for an urgent hearing; that they have not created the urgency through any lack of due diligence; that they have made a bona fide effort to resolve the matter without a hearing; that they have made reasonable, good-faith communications in an effort to resolve or narrow the issues that are being brought to the Court; that they have conferred with the Movants, who each consent to the relief requested herein.

8. WHEREFORE, the Government Parties respectfully move this Court to permit the Government Parties to file a single omnibus opposition responding to the Motions to Compel to be of a length not exceeding thirty pages, in accordance with the proposed order annexed as Exhibit A hereto.

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<sup>3</sup> See ECF No. 8037-1 (incorporating Local Civil Rule 7).

Dated: February 28, 2020  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Elizabeth L. McKeen

/s/ Martin J. Bienenstock

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**EXHIBIT A**

**Proposed Order**